

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FABIAN VAKSMAN,

Plaintiff,

-vs-

ADAM EISENBERG, SUZANNE HATFIELD,  
MIKE FINKLE, CITY OF SEATTLE, et  
al.,

Defendants.

NO. CV-07-236-LRS

ORDER DENYING PLAINTIFF'S  
SECOND MOTION FOR  
RECONSIDERATION

On October 9, 2007, the Court dismissed this case without prejudice and closed the file based on Plaintiff's failure to cure the deficiencies in his amended complaint. On October 9, 2007, Plaintiff filed an "Amended 11<sup>th</sup> Motion," Ct. Rec. 50, which was subsequently denied as moot by text order on October 10, 2007. On October 22, 2007 Plaintiff filed a "Supplemental 13<sup>th</sup> Motion to Reinstate Re Order of Dismissing Case," Ct. Rec. 59. On October 26, 2007 this Court entered an Order Denying Plaintiff's Motion for Reconsideration, Ct. Rec. 67. Since that order, which clearly stated that Plaintiff's complaint remained dismissed and the file closed, Plaintiff has filed another motion titled "15<sup>th</sup> Motion to Consider his 12<sup>th</sup> Motion to Reinstate which, Significantly, the Court Has Overlooked and Ignored; If This is An Intentional Fraud Upon the Court or Gross Negligence, Plaintiff Wants to Press Charges," Ct. Rec.

68. Plaintiff has also made numerous lengthy and unnecessary calls to court representatives in an attempt to resurrect his lawsuit. The conduct exhibited by Plaintiff, in failing to abide by the Court's previous orders, is not acceptable, and is inappropriate.

Accordingly **IT IS HEREBY ORDERED:**

1) The complaint in the captioned matter remains **DISMISSED with prejudice.**

2) Plaintiff's pending motions are **DENIED**, as being **MOOT**.

3) **PLAINTIFF IS DIRECTED TO NOT FILE ANY FURTHER PAPERS IN CAUSE NO. CV-07-236-LRS NOR CONTACT COURT STAFF REGARDING CAUSE NO. CV-07-236-LRS. THE DISTRICT EXECUTIVE OF THE EASTERN DISTRICT OF WASHINGTON WILL NOT ACCEPT FOR FILING FROM FABIAN VAKSMAN ANY FURTHER PLEADINGS AND/OR PAPERS REQUESTING RELIEF FROM THE TRIAL COURT IN CAUSE NO. CV-07-236-LRS. ALL SUCH PAPERS AND DOCUMENTS PROVIDED BY PLAINTIFF FOR FILING FROM THIS DATE FORWARD, EXCLUSIVE OF ANY APPLICABLE NOTICE OF APPEAL IF OTHERWISE PROVIDED FOR BY LAW, SHALL BE RETURNED TO PLAINTIFF PROMPTLY FOLLOWING ITS RECEIPT.**

**IT IS SO ORDERED.** The District Court Executive is directed to file this Order and provide a copy to Plaintiff and counsel for Defendants.

DATED this 9th day of November, 2007.

***s/Lonny R. Suko***

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LONNY R. SUKO  
UNITED STATES DISTRICT JUDGE